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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : August et al.
TITLE : AN INFORMATION AND COMMUNICATION SYSTEM
APPLICATION NO. : 09/653,810
FILED : September 1, 2000
CONFIRMATION NO. : 5991
EXAMINER : Luu, Le Hlen
ART UNIT : 2141
LAST OFFICE ACTION : March 24, 2006
ATTORNEY DOCKET NO. : LUTZ 2 00034
August 26-9-50

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

07/27/2006 CHEBA1 00000036 03653810
01 FC:1251 120.00 OF
02 FC:1401 500.00 OF

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **March 24, 2006** finally rejecting claims 1-17. A Pre-Appeal Brief Request for Review and a Petition for Withdrawal of Restriction are being filed herewith.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☒ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a one-month extension of time up to and including July 24, 2006

in which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

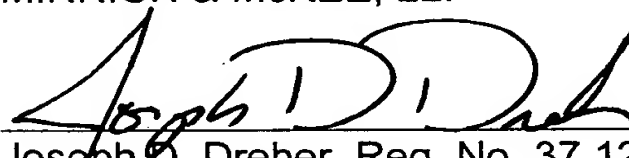
Notice of Appeal Fee:	<u>\$500.00</u>
Extension of Time Fee:	<u>\$120.00</u>

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

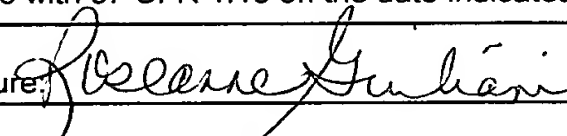
Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



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July 24, 2006
Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: July 24, 2006	Name: Roseanne Giuliani